IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6573 OF 2005
IN
CRIMINAL APPEAL NO.940 OF 2005

Ramesh Nilu Chavan ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.Girish Agarwal Advocate for Applicant
Mr.R.S.Khadapkar A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : OCTOBER 14, 2005

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant has prayed for suspension of conviction and sentence passed against him by the learned Special Judge. This application is being considered only in respect of the prayer of the applicant for suspension of sentence and liberty is

granted to the applicant to prefer a separate for suspension of conviction.

3. The applicant has been convicted under Section 13(1)(e) r.w. Section 13(2) of the Prevention of Corruption Act. It is stated on behalf of the applicant that applicant was on bail during the trial and he has not misused the liberty granted to him. This statement has not been controverted on behalf of the prosecution. The maximum sentence imposed on the appellant is one year. The learned advocate for the applicant has further submitted that sentence imposed on the applicant is only one year and the appeal preferred by the applicant is not likely to be heard and disposed of within the said period of one year.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and

circumstances, I am inclined to grant bail.

5. The applicant-Ramesh Nilu Chavan to be released on bail in the sum of Rs.15,000/- with one or two sureties to make up that amount.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]